



09-27-04

RCE JFW

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PTO/SB/30 (05/03)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Request For Continued Examination (RCE) Transmittal Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	09/380422 ✓ 699 243
	Filing Date	10/27/00
	First Named Inventor	Markl
	Art Unit	1634
	Examiner Name	Jeanine A. Goldberg
	Attorney Docket Number	47675-14

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

ii. ☐ Other _____

b. ☒ Enclosed

i. ☒ Amendment/Reply

ii. ☐ Affidavit(s)/Declaration(s)

iii. ☐ Information Disclosure Statement (IDS)

iv. ☐ Other _____

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other _____

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a. ☐ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 04-0258

i. ☐ RCE fee required under 37 CFR 1.17(e) 09/27/2004 CCHAU1 00000205 09380422

ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17) 02-FC:2801 385.00 OP

iii. ☐ Other _____

b. ☒ Check in the amount of \$ 860 (\$475 for request for extension and \$385 for filing of RCE) enclosed 09/28/2004 CCHAU1 00000004 09699243

c. ☐ Payment by credit card (Form PTO-2038 enclosed) 01 FC:2801 385.00 OP

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Barry L. Davison, Ph.D., J.D.	Registration No. (Attorney/Agent)	47,309
Signature		Date	September 24, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/type)	Barry L. Davison	Date	24 Sept. 2004
Signature			

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14.

EXPRESS MAIL NUMBER EV398874176US

DOCKET NUMBER 47675-14



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Markl et al.

Serial No.: 09/699,243

Filed: 27 October 2000

For: METHYLATION ALTERED DNA SEQUENCES AS MARKERS
ASSOCIATED WITH HUMAN CANCER

Examiner: Jeanine A. Goldberg

Art Unit: 1634

Docket No.: 47675-14

Date: 24 September 2004

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

**RESPONSE AND AMENDMENT UNDER 37 C.F.R. § 1.116, AND
REQUEST FOR CONTINUED EXAMINATION UNDER 37 C.F.R. § 1.114**

Sir,

This is in response to a final Office Action dated 24 March 2004 for the above-identified patent application. Please extend the time for response three months, up to and including, 24 September 2004. A Request for a Three-Month Extension of time and the required fee are enclosed.

Additionally, a REQUEST FOR CONTINUED EXAMINATION under 37 C.F.R. § 1.114 is attached hereto, along with the requisite fee under 37 C.F.R. § 1.17(e). Kindly amend the above-identified patent application as follows: